



Elementary Secondary Education Committee

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09500HB1964ham001

LRB095 09726 RAS 32918 a

1 AMENDMENT TO HOUSE BILL 1964

2 AMENDMENT NO. _____. Amend House Bill 1964 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Childhood Hunger Relief Act is amended by
5 changing Section 20 as follows:

6 (105 ILCS 126/20)

7 Sec. 20. Summer food service program.

8 (a) The State Board of Education shall promulgate a State
9 plan for summer food service programs, in accordance with 42
10 U.S.C. Sec. 1761 and any other applicable federal laws and
11 regulations, by June 1, 2007 ~~January 15, 2006~~.

12 (b) On or before April 15, 2008, a school district must
13 promulgate a plan to have a summer food service program for
14 each school in which at least 50% of the students are eligible
15 for free or reduced-price school meals. The plan must be
16 implemented during the summer of 2008. Each summer food service

1 program must operate for a minimum of 35 consecutive days. If
2 the school district has one or more elementary schools that
3 qualify, the summer food service program must be operated
4 within 5 miles of at least one of the elementary schools and
5 within 10 miles of the other elementary schools, if any. If a
6 school is not open during the summer months, the school
7 district shall identify a not-for-profit entity that is willing
8 to sponsor a summer food service program serving school-aged
9 children in the surrounding school area and shall provide
10 assistance to the entity in documenting the number of children
11 in the area who are eligible for free or reduced-price school
12 meals. By February 15 of each year, the State Board of
13 Education shall provide to each school district a list of local
14 organizations that have filed letters of intent to participate
15 in the summer food service program so that the school board is
16 able to determine how many sites are needed to serve the
17 children and where to place each site. ~~By the summer of 2006~~
18 ~~and then each summer thereafter, it is strongly encouraged that~~
19 ~~the board of education of each school district in this State in~~
20 ~~which at least 50% of the students are eligible for free or~~
21 ~~reduced-price school meals operate a summer food service~~
22 ~~program or identify a non-profit or private agency to sponsor a~~
23 ~~summer food service program within the school district's~~
24 ~~boundaries.~~

25 (c) Summer food service programs established under this
26 Section shall ~~may~~ be supported by federal funds and commodities

1 and other available State and local resources.

2 (d) A school district shall be allowed to opt out of the
3 summer food service program requirement of this Section if it
4 is determined that, due to circumstances specific to that
5 school district, the expense reimbursement would not fully
6 cover the costs of implementing and operating a summer food
7 service program. The school district shall petition its
8 regional superintendent of schools by November 15 to request to
9 be exempt from the summer food service program requirement. The
10 petition shall include all legitimate costs associated with
11 implementing and operating a summer food service program, the
12 estimated reimbursement from State and federal sources, and any
13 unique circumstances the school district can verify that exist
14 that would cause the implementation and operation of such a
15 program to be cost prohibitive.

16 The regional superintendent of schools shall review the
17 petition. He or she shall convene a public hearing to hear
18 testimony from the school district and interested community
19 members. The regional superintendent shall, by December 15,
20 inform the school district of his or her decision, along with
21 the reasons why the exemption was granted or denied, in
22 writing. If the regional superintendent grants an exemption to
23 the school district, then the school district is relieved from
24 the requirement to establish and implement a summer food
25 service program.

26 If the regional superintendent of schools does not grant an

1 exemption to the school district, then the school district
2 shall implement and operate a summer food service program in
3 accordance with this Section the summer following the current
4 school year. However, the school district or a resident of the
5 school district may appeal the decision of the regional
6 superintendent to the State Superintendent of Education. No
7 later than February 15 of each year, the State Superintendent
8 shall hear appeals on the decisions of regional superintendents
9 of schools. The State Superintendent shall make a final
10 decision at the conclusion of the hearing on the school
11 district's request for an exemption from the summer food
12 service program requirement. If the State Superintendent
13 grants an exemption to the school district, then the school
14 district is relieved from the requirement to implement and
15 operate a summer food service program. If the State
16 Superintendent does not grant an exemption to the school
17 district, then the school district shall implement and operate
18 a summer food service program in accordance with this Section
19 the summer following the current school year.

20 A school district may not attempt to opt out of the summer
21 food service program requirement of this Section by requesting
22 a waiver under Section 2-3.25g of the School Code.

23 (Source: P.A. 93-1086, eff. 2-15-05.)

24 Section 99. Effective date. This Act takes effect upon
25 becoming law."